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May 14, 2024

VIA ECF

Hon. Arun Subramanian
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St. Courtroom 15
New York, NY 10007-1312

Re: *Flynn et al, v. Cable News Network, Inc.*, No. 1:21-cv-02587-AS-SLC—Letter-Motion to file Attorney Client Communications and Work Product Under Seal

Dear Judge Subramanian:

We represent Defendant Cable News Network Inc. (“CNN”) in the above-referenced action. In support of CNN’s motion for attorneys’ fees and costs, CNN is filing herewith its billing statements for this litigation. These billing statements necessarily include descriptions of CNN’s counsel’s work and include privileged attorney client and attorney work product descriptions. Particularly given that CNN is actively litigating against Plaintiffs’ counsel in the MDFL Actions, to protect these privileged communications from disclosure, CNN is filing the unredacted version of those billing statements as Exhibit H *ex parte* for the Court’s review.

Pursuant to the Federal Rules of Civil Procedure 5.2(e) and Your Honor’s Individual Practice Rule 11B, we respectfully request to file the redacted portions of CNN’s concurrently filed Exhibit H under seal with redaction boxes that specify the redactions are “PRIVILEGED AS A/C COMM. AND/OR WORK PRODUCT.”

In the version of Exhibit H filed under seal *ex parte*, CNN has also highlighted certain entries for the MDFL Actions which were redacted in black on the public docket, as it is not seeking fees and costs associated solely with those actions. Thank you for your consideration.

Respectfully submitted,

Davis Wright Tremaine LLP

/s/ Katherine M. Bolger

Katherine M. Bolger

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Arun Subramanian'.

Arun Subramanian, U.S.D.J.
Date: May 15, 2024

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cc: Counsel of Record (via ECF)